

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOHN DAVID KARWAT, II,

Plaintiff,

v.

Case No. 2:11-cv-12452

District Judge Stephen J. Murphy, III

Magistrate Judge Kimberly G. Altman

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**MEMORANDUM AND ORDER STAYING PROCEEDINGS ON MOTIONS  
FOR ATTORNEY FEES FOR SIXTY (60) DAYS**

This is a social security case. On September 19, 2013, the case was remanded to the Commissioner for further proceedings. (ECF No. 28). Plaintiff was awarded benefits on remand. Recently, plaintiff has filed three motions for attorney fees. *See* ECF Nos. 30, 36, and 38. Under 28 U.S.C. § 636(b)(1), these motions, along with any future motions, were referred to the undersigned. *See* ECF No. 39. The motions for attorney fees were referred for resolution through settlement or, if not settled, for issuance of a report and recommendation. *See id.*

On February 1, 2021, the Court held a telephonic status conference to discuss plaintiff's motions for attorney fees. During the conference, the

Commissioner asked for a 60-day stay on plaintiff's motions for attorney fees. Plaintiff agreed. During the stay, plaintiff's fee petition for work performed before the Social Security Administration under 42 U.S.C. § 406(a), which forms the bulk of the attorney fee request, will be administratively considered. The parties hope that the resolution of the § 406(a) petition will narrow the issues presented in plaintiff's motions. The Court finds that a stay is appropriate under the circumstances.

Accordingly, proceedings on plaintiff's motions for attorney fees are STAYED for 60 days. The parties shall promptly advise the Court of the administrative decision on plaintiff's § 406(a) petition. Upon expiration of the 60 days, the Court will schedule a telephonic status conference with the parties to discuss the status of plaintiff's motions for attorney fees.

SO ORDERED.

Dated: February 3, 2021  
Detroit, Michigan

s/Kimberly G. Altman  
KIMBERLY G. ALTMAN  
United States Magistrate Judge

The parties' attention is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this memorandum within which to file objections for consideration by the district judge under 28 U.S.C. § 636(b)(1).

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 3, 2021.

s/Marie E. Verlinde  
MARIE E. VERLINDE  
Case Manager